

JUN 26 1996

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT. OF INSURANCE
BY Kathy Hinder

In the Matter of the Withdrawal of:) Docket No. 96A-065-INS
)
TULSA NATIONAL LIFE INSURANCE)
COMPANY (NAIC No. 86690),) ORDER
)
Petitioner.)
)
_____)

On June 21, 1996, the Office of Administrative Hearings, through Administrative Law Judge Lewis D. Kowal, submitted "Recommended Findings of Fact, Conclusions of Law and Recommended Order Authorizing Withdrawal of Insurer from the Insurance Business and for a Release of Statutory Deposit", a copy of which is attached and incorporated by this reference. The Director of the Arizona Department of Insurance has reviewed the recommendation, and enters the following order:

1. The recommended findings of fact and conclusions of law are adopted.
2. The Petitioner may file its Articles of Dissolution with the Arizona Corporation Commission.
3. The Petitioner is entitled to the release of its statutory deposit in the sum of \$100,000.00 and that the statutory deposit shall be released to the Petitioner after the Department has received the following: (a) payment of examination expenses, if due; (b) a copy of Petitioner's Articles of Dissolution certified as filed by the Arizona Corporation Commission; and (c) a fully executed Form E126 (Notice of Trust

1 Deposit Release). The statutory deposit cannot be released until
2 the Department receives a fully executed copy of the official
3 State Treasurer Release Receipt.

4 4. The sum of \$100.00 previously credited to the
5 IERF will be refunded to the Petitioner, pursuant to A.R.S.
6 §20-159.


7 5. The Petitioner will file its 1996 Annual Statement
8 with the Department, together with all applicable fees, unless
9 Petitioner files its Article of Dissolution with the Arizona
10 Corporation Commission on or before December 31, 1996.

11 NOTIFICATION OF RIGHTS

12 The aggrieved party may request a rehearing with
13 respect to this Order by filing a written petition with the
14 Office of Administrative Hearings within 30 days of the date of
15 this Order, setting forth the basis for such relief pursuant to
16 A.A.C. R20-6-114(B).

17 The final decision of the Director may be appealed to
18 the Superior Court of Maricopa County for judicial review
19 pursuant to A.R.S. §20-166.

20 EFFECTIVE this 25th day of June, 1996

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22 
23 Chris Herstam
24 Director of Insurance
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1 A copy of the foregoing
2 mailed this 26th day of
3 June, 1996

4 Charles R. Cohen, Deputy Director
5 Gregory Y. Harris, Executive Assistant Director
6 Mary Butterfield, Assistant Director
7 Catherine O'Neil, Assistant Director
8 Gary Torticill, Assistant Director
9 Deloris Williamson, Assistant Director
10 Scott Greenberg, Business Administrator
11 Cary Cook, Solvency Support Unit Supervisor
12 Kurt Regner, Examiner
13 Department of Insurance
14 2910 N. 44th St., Suite 210
15 Phoenix, AZ 85018

16 Office of Administrative Hearings
17 1700 West Washington, Suite 602
18 Phoenix, AZ 85007

19 Philip T. Paris
20 2929 North 44th Street, Suite 120
21 Phoenix, AZ 85018

22 Kathy Lender
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Office of Administrative Hearings

1700 West Washington, Suite 602 - Phoenix, Arizona 85007
Telephone (602)-542-9826 FAX (602)-542-9827

Fife Symington
Governor

STATE OF ARIZONA
RECEIVED

JUN 25 1996

Cliff Vanell
DIRECTOR'S OFFICE
INSURANCE DEPT.

June 24, 1996

Chris Herstam
Director
Department of Insurance
2910 North 44th Street, 210
Phoenix AZ 85018-7256

Re: 96A-065-INS

**In the Matter of the
Withdrawal of**

**TULSA NATIONAL LIFE INSURANCE
COMPANY (NAIC No. 86690),**

Petitioner.

Dear Mr. Herstam:

Please find the decision of the Office of Administrative Hearings for the
above entitled matter.

Sincerely,


Cliff J. Vanell
Director



Mission Statement

The Office of Administrative Hearings will contribute to the quality of life in the State of Arizona by fairly and impartially hearing the contested matters of our fellow citizens arising out of State regulation.

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IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Withdrawal of

No. 96A-065-INS

**TULSA NATIONAL LIFE INSURANCE
COMPANY (NAIC No. 86690),**

**RECOMMENDED FINDINGS OF
FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER
AUTHORIZING WITHDRAWAL OF
INSURER FROM THE INSURANCE
BUSINESS AND FOR A RELEASE
OF STATUTORY DEPOSIT**

Petitioner.

On June 6, 1996, a hearing took place at the Arizona Department of Insurance (the "Department"), 2910 North 44th Street, Phoenix, Arizona, to consider the application of Tulsa National Life Insurance Company (the "Petitioner"), NAIC No. 86690, to withdraw from the insurance business and for the release of its statutory deposit pursuant to A.R.S. §20-588 and A.A.C. R20-6-303.

Based upon the entire record in this matter, including all pleadings, motions, testimony and exhibits admitted during the hearing of this matter, Administrative Law Judge Lewis D. Kowal has prepared the following Recommended Findings of Fact, Conclusions of Law and Proposed Order for consideration by the Director:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Petitioner has filed an Affidavit of Lost Certificate of Authority with the Department.

2. The Petitioner has filed with the Department certified copies of Resolutions of the Petitioner's Board of Directors and of the Petitioner's shareholder(s) authorizing Petitioner to withdraw from the insurance business by dissolution.

3. The Petitioner has no insurance obligations owing to it, whether by policies written direct or by reinsurance ceded to it.

4. The Petitioner has filed its certified financial statement as of November 1, 1995 with the Department.

5. At least 10 business days before the hearing of this matter, Petitioner gave special notice to creditors and policyholders of the Petitioner, setting forth the

1 date, place, nature and purpose of the hearing, as evidenced by the affidavit of
2 publication. Petitioner also provided individual notice by mail to its known creditors,
3 as evidenced by an affidavit.

4 6. The Petitioner has a \$100,000.00 statutory deposit with the Department
5 and a \$100.00 deposit with the Insurance Examiners' Revolving Fund ("IERF").

6 7. The Petitioner has complied with the provisions of A.R.S. §20-588 and
7 with A.A.C. R20-6-303, relating to the release of its \$100,000.00 statutory deposit.

8 8. The Department may have incurred examination expenses as a result of
9 this withdrawal.

10 **RECOMMENDED ORDER**

11 The undersigned Administrative Law Judge recommends that:

12 1. The Petitioner may file its Articles of Dissolution with the Arizona
13 Corporation Commission.

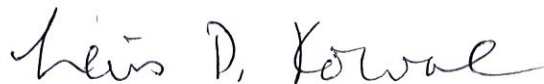
14 2. The Petitioner is entitled to the release of its statutory deposit in the sum
15 of \$100,000.00 and that the statutory deposit shall be released to the Petitioner
16 after the Department has received the following: (a) payment of examination
17 expenses, if due; (b) a copy of Petitioner's Articles of Dissolution certified as filed by
18 the Arizona Corporation Commission; and (c) a fully executed Form E126 (Notice of
19 Trust Deposit Release). The statutory deposit cannot be released until the
20 Department receives a fully executed copy of the official State Treasurer Release
21 Receipt.

22 3. The sum of \$100.00 previously credited to the IERF be refunded to the
23 Petitioner, pursuant to A.R.S. §20-159.

24 4. The Petitioner file its 1996 Annual Statement with the Department,
25 together with all applicable fees, unless Petitioner files its Article of Dissolution with
26 the Arizona Corporation Commission on or before December 31, 1996.

27 DATED this 21st day of June, 1996.

28 OFFICE OF ADMINISTRATIVE HEARINGS
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32 LEWIS D. KOWAL
33 Administrative Law Judge
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1 Original of the foregoing mailed
2 this 24th day of June, 1996, to:

3 Chris Herstam, Director
4 Arizona Department of Insurance
5 2910 North 44th Street, Suite 210
6 Phoenix, AZ 85018

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